

AGENDA DOCUMENT NO. 01-14

MINUTES OF AN OPEN MEETING  
OF THE  
FEDERAL ELECTION COMMISSION

THURSDAY, FEBRUARY 15, 2001

PRESENT: Karl J. Sandstrom, Commissioner, Presiding  
Bradley A. Smith, Commissioner  
Scott E. Thomas, Commissioner  
Darryl R. Wold, Commissioner  
James A. Pehrkon, Staff Director  
Lois G. Lerner, Acting General Counsel  
Mary W. Dove, Acting Secretary

Commissioner Karl J. Sandstrom, the presiding officer, called the Federal Election Commission to order in an open meeting at 10:05 A.M. on Thursday, February 15, 2001, with a quorum present.

I. ADVISORY OPINIONS

A. Draft Advisory Opinion 2001-01  
(Alternative Drafts)

North Carolina Democratic Party by  
Scott R. Falmlen, Executive Director

Agenda Document No. 01-10

Commissioner Sandstrom recognized Commissioner Smith, who

MOVED to suspend the rules on the timely submission of agenda documents in order to consider Agenda Document No. 01-10.

The motion carried on the vote of 4-0 with  
Commissioners Sandstrom, Smith, Thomas, and Wold voting affirmatively.

I. ADVISORY OPINIONS (continued)

A. Draft Advisory Opinion 2001-01  
(Alternative Drafts) (continued)

Commissioner Sandstrom recognized Mr. Michael Marinelli of the General Counsel's staff who presented the two proposed drafts of Advisory Opinion 2001-01 concerning the application of the Federal Election Campaign Act of 1971, as amended ("the Act"), and Commission regulations to the use of an office building fund, maintained by the North Carolina Democratic Party, for various purposes related to the renovation of the Party's office building.

A discussion followed.

Commissioner Sandstrom recognized Commissioner Smith, who

MOVED to approve Alternative A  
of draft Advisory Opinion 2001-01,  
as submitted in Agenda Document  
No. 01-10.

The motion carried on the vote of 4-0 with  
Commissioners Sandstrom, Smith, Thomas, and Wold voting  
affirmatively.

I. ADVISORY OPINIONS (continued)

B. Draft Advisory Opinion 2001-02

Green Party of Kentucky by  
Alexander D. Moorhead, Treasurer

Agenda Document No. 01-9

Mr. Marinelli of the General Counsel's staff presented draft Advisory Opinion 2001-02 concerning the application of the Federal Election Campaign Act of 1971, as amended ("the Act"), and Commission regulations concerning the status of the Green Party of Kentucky as a State committee of a political party.

Commissioner Sandstrom recognized Commissioner Thomas, who

MOVED to approve draft Advisory  
Opinion 2001-02, as submitted in  
Agenda Document No. 01-9.

The motion carried on the vote of 4-0 with  
Commissioners Sandstrom, Smith, Thomas, and Wold voting  
affirmatively.

II. DRAFT 2001 LEGISLATIVE RECOMMENDATIONS

(Continued from the meeting of February 8, 2001)

Agenda Document No. 01-11

Commissioner Sandstrom recognized Commissioner  
Wold, who

MOVED to suspend the rules on  
the timely submission of agenda  
documents in order to consider  
Agenda Document No. 01-11.

The motion carried on the vote of 4-0 with  
Commissioners Sandstrom, Smith, Thomas, and Wold voting  
affirmatively.

Commissioner Sandstrom recognized Ms. Dorothy  
Yeager of the Information Division who presented an  
overview of the revised draft.

A discussion followed.

II. DRAFT 2001 LEGISLATIVE RECOMMENDATIONS  
(continued)

Commissioner Sandstrom recognized Commissioner  
Thomas, who

MOVED to approve Part II (Valid and  
Technical) of the draft legislative  
recommendations 2001, subject to the  
following amendment:

On Page 18, Line 3 of the  
recommendation insert the  
words "violation of the"  
after the word "(criminal)."

The motion carried on the vote of 4-0 with  
Commissioners Sandstrom, Smith, Thomas, and Wold voting  
affirmatively.

Commissioner Sandstrom recognized Commissioner  
Wold, who

MOVED to circulate on a tally  
vote basis the two priority  
recommendations in Part I, as  
amended on Page 3, Line 9, by  
inserting the word "voluntary"  
before the words "performance/  
design"; and to include a  
recommendation that the two  
priority recommendations be  
sent separately to Congress.

II. DRAFT 2001 LEGISLATIVE RECOMMENDATIONS  
(continued)

The motion carried on the vote of 4-0 with  
Commissioners Sandstrom, Smith, Thomas, and Wold voting  
affirmatively.

Commissioner Sandstrom recognized Commissioner  
Wold, who

MOVED to instruct staff to  
circulate on a tally vote  
basis the following three  
recommendations suggested by  
Commissioner Thomas to determine  
if they would be included in the  
package of additional legislative  
recommendations to be submitted  
in Part II:

- a) Disclaimer Notices;
- b) Incomplete or False  
Contributor Information;
- c) Independent litigating  
authority at the Supreme  
Court.

The motion carried on the vote of 4-0 with  
Commissioners Sandstrom, Smith, Thomas, and Wold voting  
affirmatively.

III. ADVANCE NOTICE OF PROPOSED RULEMAKING ON  
THE DEFINITION OF "POLITICAL COMMITTEE"

This item will be held over to the next  
open meeting.

IV. ADMINISTRATIVE MATTERS

FUTURE MEETING DATES

Agenda Document No. 01-13

Commissioner Sandstrom recognized Commissioner  
Smith, who

MOVED to suspend the rules on  
the timely submission of agenda  
documents in order to consider  
Agenda Document No. 01-13.

The motion carried on the vote of 4-0 with  
Commissioners Sandstrom, Smith, Thomas, and Wold voting  
affirmatively.

Commissioner Sandstrom recognized Commissioner  
Wold, who

MOVED to approve the future  
meeting dates, as set forth  
in Agenda Document No. 01-13.

The motion carried on the vote of 4-0.



IV. ADMINISTRATIVE MATTERS (continued)

The presiding officer recognized Commissioner Smith who announced he has just released a book he has written entitled *UNFREE SPEECH* and stated he entered a contract with Princeton University Press in 1999, and the work was completed prior to his current position with the Federal Election Commission. He mentioned he has consulted with the FEC Ethics Officer regarding acceptance of royalties, book signing, and other related items, but he wanted his colleagues to be aware of the publication.

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The meeting adjourned at 11:07 A.M.

Signed:

Karl J. Sandstrom  
Commissioner

Attest:

Mary W. Dove  
Acting Secretary of  
the Commission

